

**Senate File 180 - Introduced**

SENATE FILE 180

BY McCLINTOCK

**A BILL FOR**

1 An Act providing credit for accrued sick leave for certain  
2 law enforcement officers and making a state mandate  
3 inapplicable.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 70A.23A Credit for accrued sick  
2 leave — law enforcement officers.

3 1. For purposes of this section:

4 a. "*Eligible retirement system*" means a retirement system  
5 authorized under chapter 97B or 411.

6 b. "*Eligible law enforcement officer*" means a law enforcement  
7 officer eligible to receive retirement benefits under an  
8 eligible retirement system on or after July 1, 2023.

9 c. "*Law enforcement officer*" means a law enforcement  
10 officer, as defined in section 80B.3, who is not authorized to  
11 receive credit for accrued sick leave as provided in section  
12 70A.23.

13 2. An eligible law enforcement officer, excluding a law  
14 enforcement officer covered under a collective bargaining  
15 agreement which provides otherwise, who retires and has applied  
16 for retirement benefits under an eligible retirement system,  
17 or who dies while in active employment, shall be credited with  
18 the number of accrued days of sick leave of the law enforcement  
19 officer. The law enforcement officer, or the law enforcement  
20 officer's estate, shall receive a cash payment of the monetary  
21 value of the officer's accrued sick leave balance, not to  
22 exceed two thousand dollars. The value of the officer's  
23 accrued sick leave balance shall be calculated by multiplying  
24 the number of hours of accrued sick leave by the officer's  
25 regular hourly rate of pay at the time of retirement.

26 3. a. An eligible law enforcement officer, excluding an  
27 officer covered under a collective bargaining agreement which  
28 provides otherwise, who retires and receives a payment as  
29 provided in subsection 2, shall be entitled to elect to have  
30 the officer's available remaining value of sick leave used to  
31 pay the employer's share for the officer's continuation of  
32 group health insurance coverage pursuant to the requirements  
33 of this subsection.

34 b. An eligible law enforcement officer's available remaining  
35 value of sick leave shall be available to pay for that portion

1 of the officer's group health insurance premium that would  
2 otherwise be paid for by the employer if the officer were still  
3 employed by the employer. The benefits provided for in this  
4 subsection have no cash value and are not transferable to any  
5 other person, including the retiree's spouse. Payment of group  
6 health insurance premiums pursuant to this subsection continues  
7 until the earliest of when the eligible law enforcement  
8 officer's available remaining value of sick leave is exhausted,  
9 the officer otherwise becomes eligible for federal Medicare  
10 program benefits, or the officer dies. In addition, a law  
11 enforcement officer electing benefits pursuant to this  
12 subsection who is reinstated or reemployed in a permanent full-  
13 time or permanent part-time position by the law enforcement  
14 officer's previous government employer forfeits any remaining  
15 benefits for payment of group health insurance benefits, and  
16 such law enforcement officer is not eligible for restoration  
17 of the unused sick leave accrued during the law enforcement  
18 officer's prior employment with the employer.

19 Sec. 2. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
20 3, shall not apply to this Act.

21

EXPLANATION

22 The inclusion of this explanation does not constitute agreement with  
23 the explanation's substance by the members of the general assembly.

24 This bill provides credit for accrued sick leave for certain  
25 retired law enforcement officers.

26 New Code section 70A.23A, providing credit for accrued sick  
27 leave, defines an "eligible law enforcement officer" as a law  
28 enforcement officer who is eligible to receive retirement  
29 benefits under a retirement system under Code chapter 97B  
30 or 411 on or after July 1, 2023. The bill defines "law  
31 enforcement officer" to mean as provided in Code section 80B.3,  
32 excluding those authorized to receive credit for accrued sick  
33 leave under Code section 70A.23.

34 The new Code section provides that an eligible law  
35 enforcement officer, excluding officers covered under a

1 collective bargaining agreement which provides otherwise,  
2 who retire or are eligible to retire and die while in active  
3 employment can receive a cash payment of up to \$2,000 for  
4 their unused sick leave. The bill further provides that the  
5 remaining value of sick leave shall be available to pay for  
6 that portion of the officer's group health insurance premium  
7 that would otherwise be paid for by the employer if the officer  
8 were still employed by the employer.

9 The payment of premiums from accrued sick leave continues  
10 until the balance of the law enforcement officer's banked  
11 value of eligible accrued sick leave is exhausted, the retiree  
12 otherwise becomes eligible for Medicare, or the officer dies.  
13 In addition, the bill provides that if the law enforcement  
14 officer returns to permanent full-time or part-time employment  
15 with the officer's previous government employer, any unused  
16 sick leave balances are forfeited and the officer is not  
17 eligible for restoration of the unused sick leave accrued  
18 during the prior employment.

19 The bill may include a state mandate as defined in Code  
20 section 25B.3. The bill makes inapplicable Code section 25B.2,  
21 subsection 3, which would relieve a political subdivision from  
22 complying with a state mandate if funding for the cost of  
23 the state mandate is not provided or specified. Therefore,  
24 political subdivisions are required to comply with any state  
25 mandate included in the bill.